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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: MAKINO et al
Serial No.: 10/812,086
Filed: March 30, 2004
For: Vacuum Processing Apparatus
Art Unit: 1763
Examiner: K. Moore

REQUEST FOR CLARIFICATION

Mail Stop: Response (No Fee)
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

June 27, 2006

Sir:

Receipt is acknowledged of the Advisory Action dated June 22, 2006, in response to the Reply filed 05 June 2006.

The Advisory Action fails acknowledge that the reply filed 05 June 2006 included a Notice of Appeal, and applicants request clarification of the record with respect to the filing of the Notice of Appeal.

More particularly, reference is made to the first full paragraph bridging pages 15 and 16 of the Reply filed 05 June 2006, which sets forth:

Applicants request that the paper also be considered as a Notice of Appeal and hereby appeal the final rejection of claims 12 - 23 and authorize charging of the appeal fees as indicated below. (emphasis added)

Applicants note that the following paragraph sets forth the Deposit Account of the office of the undersigned attorney and submit that the Notice of Appeal has been filed in accordance with the requirements of 37 CFR §41.31.

Accordingly, applicants request that the record be clarified to indicate the filing of a Notice of Appeal on 05 June 2006, noting that an Appeal Brief is now due to be filed within two months from the date of filing the Notice of Appeal in accordance with 37 CFR §41.37. Further, applicants assume that the Amendment filed June 5, 2006 has been entered and the rejection of the claims under 35 USC 112, second paragraph has been overcome. Clarification of the record with respect thereto is also requested.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in cursive script, appearing to read "Melvin Kraus", is written over a horizontal line.

Melvin Kraus
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